

FEDERAL COMMUNICATIONS COMMISSION
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December 18, 2006

Robert F. Kelley, Jr., Consulting Engineer
125 Tun Jesus Crisistomo Street, Suite 308
Tamuning, Guam 96913

Re: KGCA-LP, Tumon, Guam
Facility Identification Number: 133792
Marianas Educational Media Services, Inc.
Special Temporary Authorization

Dear Mr. Kelley:

This is in reference to the request filed December 11, 2006, on behalf of Marianas Educational Media Services, Inc. ("MEMS"). MEMS requests special temporary authority ("STA") to operate Low-power FM Station KGCA-LP with temporary facilities.¹ In support of the request, MEMS states that, due to the construction of multiple communications and microwave facilities at its currently licensed site, it has been asked to relocate its antenna. MEMS states that it has located a new, permanent site, but that the process of negotiation and obtaining local permits for use of the site will take several months. In the interim, MEMS requests STA for operation at a temporary site from which it can continue to serve its community until its new, permanent facilities can be authorized and constructed.

Our review indicates that the proposed STA operation is not likely to cause interference to any other licensed station.

Accordingly, the request for STA IS HEREBY GRANTED. Station KGCA-LP may operate with the following facilities:

Geographic coordinates:	13° 29' 13" N, 144° 45' 50" E (NAD 1927)
Channel	295 (106.9 MHz)
Effective radiated power:	0.07 kilowatt (H&V)
Antenna height:	
above ground:	30 meters
above mean sea level:	80 meters
Above average terrain:	35 meters

¹ KGCA-LP is licensed for operation on Channel 295L1 (106.9 MHz) with effective radiated power of 0.07 kilowatt (H&V) and antenna height above average terrain of 20 meters.

MEMS must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **June 18, 2007**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Marianas Educational Media Services, Inc.